

**REMARKS**

Preliminarily, Applicants submit herewith a Supplemental Information Disclosure Statement including Abstracts for JP 2002-372601 and JP 2000-26444. Applicants also state that U.S. Patent Application Publication No. US 2003/0120008 A1 and U.S. Patent No. 6,495,636 (incorrectly identified as U.S. Patent No. 9,495,636 in the ISR) correspond to JP 2002-372601. The JP references were lined-out in Form PTO/SB/08 A & B (modified) attached to the Office Action of April 27, 2007. Particularly, these were among three (3) references cited in the International Search Report for PCT/JP03/00038 submitted in the Information Disclosure Statement filed February 11, 2005.

Claims 1-39 stand rejected. Also, claims 9 and 29 are indicated as being allowable if rewritten to overcome certain rejections under 35 U.S.C. § 112, second paragraph.

Review and reconsideration on the merits is requested.

Claims 1-29 were rejected under 35 U.S.C. § 112, second paragraph. In this regard, the Examiner considered that (i) use of parenthesis in claims 1, 2, 3, 4, 28, 29, 30 and 31 to define Y<sup>1</sup> or Y<sup>2</sup> renders the claims indefinite. The Examiner further considered (ii) the phrase "hydrogen atoms may be substituted" to be indefinite. Lastly, the Examiner (iii) considered claims 16, 17, 23, 24, 33, 35 and 38 directed to an optical "material" comprising a "curable" polymer to be indefinite. The Examiner considered that in order to be an optical "material," the polymer or composition must also be cured.

In response, claims 1, 2, 3, 4, 6, 7, 12, 16, 17, 23, 24, 28, 29, 30 and 31 have been amended so as to address (i) to (iii) above. As to (i), the parenthesis have been deleted. As to (ii), the claims have been amended to employ the language "hydrogen atoms are optionally substituted" as suggested by the Examiner. As to (iii), claims 16, 17, 23 and 24 have been

amended to recite that the optical material comprises a cured product of the curable fluorine-containing polymer or resin composition.

The amendments pursuant to (i) and (ii) above do not narrow the scope of the original claims. Further, it is respectfully submitted that the amended fully comply with 35 U.S.C. § 112, and withdrawal of the foregoing rejection is respectfully requested.

Claims 1-8, 10-28, 30 and 32-39 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,790,587 to Feiring et al.

In particular, the Examiner considered the protecting group methoxy methyl ether (MOM) at the end of the functional group to meet the rejected claims where Y<sup>1</sup> has 1 to 5 *crosslinkable cyclic ether structures*, citing Examples 12, 14, 15, 20, 21, 23, 25-28, 29, 34-38 and 40-44. The Examiner further cited Feiring et al. as teaching that cyclic ether structures are equivalent to MOM structures in the polymers disclosed therein.

Applicants traverse, and respectfully request the Examiner to reconsider for the following reasons.

The independent claims are claims 1, 28, 29, 30 and 31. Claims 9 and 29 where Y<sup>1</sup> is defined as having 1 to 5 oxetane structures are indicated as being allowable. The undersigned believes that independent claim 31 should also be allowable for the same reason.

Turning to the cited prior art, the description (column 11, lines 42-58) of Feiring et al. identified by the Examiner teaches a protected portion of an ester structure. Particularly, the compounds identified by the Examiner are esters of lactone, namely, cyclic esters, but not a cyclic ethers.

A characteristic feature of each of independent claims 1, 28, 29, 30 and 31 is that Y<sup>1</sup> of the organic group Rf has 1 to 5 crosslinkable cyclic ether structures. Feiring et al. fails to

disclose the claimed crosslinkable cyclic ether structure, and for this reason alone does not anticipate the present claims. Further, Applicants dispute that cyclic esters are equivalents of cyclic ethers for use in a photoresist of Feiring et al.

Regarding this last point, Feiring et al. instructs that the protecting group should be a cyclic ester because hydrophilic acid groups produced by the deprotection are used for development under an aqueous condition (column 11, lines 34-39).

Withdrawal of the foregoing rejection under 35 U.S.C. § 102(e) is respectfully requested.

Claims 1-8, 10-28, 30 and 32-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,069,215 to Araki et al. in view of Feiring et al. Araki et al. was cited as disclosing coating compositions comprising a fluorine-containing monomers having functional groups including terminal epoxy groups.

In response, claims 28 and 30 have been amended to delete epoxide group from the definition of Y<sup>2</sup>, to thereby exclude Araki et al. Furthermore, because Feiring et al. does not disclose the polymer of the present invention (i.e., fails to disclose that Y<sup>1</sup> has a crosslinkable cyclic ether structure), the combination of Feiring et al. and Araki et al. does not render the claims obvious. Particularly, because one or more claim limitations are not taught or suggested by the prior art, the combination of Feiring et al. and Araki et al. does not establish a *prima facie* case of obviousness.

Withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) is respectfully requested.

Withdrawal of all rejections and allowance of claims 1-39 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/524,259

Attorney Docket No.: Q86191

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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